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December 19, 2010

Via First Class Mail & ECF

Honorable Joseph F. Bianco, U.S.D.J.
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Richard Gravina, et al. v. National Enterprise Systems, Inc., et al.*
Case. No.: 09-cv-2942 (JFB)(MLO)

Dear Judge Bianco:

My office, together with co-counsel, represents intervenors from two statewide class actions pending in the federal district courts in Florida: *Capote et. al. v. National Enterprise Systems, Inc.*, Case No. 2010-cv-61140 (S.D.Fla.), and *Dawson v. National Enterprise Systems, Inc.*, Case No. 2010-cv-1048 (M.D.Fla.).

I am writing to request permission to withdraw the pending motion to intervene that I filed on September 13, 2010 (ECF# 53), and to cancel the status conference scheduled for December 22, 2010. I am making these requests because my co-counsel and I have resolved our dispute by agreeing to carve out the Florida classes and settle their claims separately, on a statewide class-basis, consolidating the two Florida cases under the jurisdiction of the district judge assigned to the *Capote* case in the Southern District of Florida.

Respectfully,

/s/ Brian L. Bromberg

Brian L. Bromberg

cc: Arthur Sanders, Esq. (Via ECF)
David Israel, Esq. (Via ECF)
Dayle M. Van Hoose, Esq. (Via ECF)
Kevin Barry McHugh, Esq. (Via ECF)
Robert L. Arleo, Esq. (Via ECF)
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Certificate of Service

I, Brian Bromberg, an attorney, hereby certify that on December 19, 2010, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

Arthur Sanders, Esq.
David Israel, Esq.
Dayle M. Van Hoose, Esq.
Kevin Barry McHugh, Esq.
Robert L. Arleo, Esq.
Scott Evan Wortman, Esq.
William Franklin Horn, Esq.

Dated: December 19, 2010

/s/ Brian L. Bromberg
Brian L. Bromberg

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